

RECEIVED  
CENTRAL FAX CENTER

MAY 21 2007

REMARKS

In the Office Action, claims 1-20, 29-34, and 36-47 were rejected under 35 U.S.C. 103(a) as being unpatentable over DOCSIS Specification (the "RFI" reference) in view of Woundy (U.S. Patent 6,023,464). Claims 1-20, 29-34, 36-47 were rejected under 35 U.S.C. 112. Claims 15-20, 34, and 47 have been cancelled.

Claims 1, 29, 36, and 37 have been amended to delete the limitation that the provisioning system is located at a network management station to address the Section 112 issues raised in the Office Action.

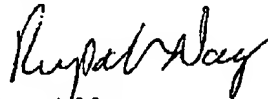
Claims 1, 29, 36 and 37 have also been amended to recite that rapid re-provisioning of a cable modem can be performed using one of two techniques. Both techniques involve the deliberate and intentional transmission of a message from the CMTS to the cable modem, rather than from a provisioning server to a cable modem. One process recites that the periodic ranging of a cable modem is interrupted by the CMTS which receives a clear modem reset command directly from a provisioning system.

The other recited process includes transmitting a ranging abort message to the cable modem causing the modem to have an RF failure and causing it to re-provision. In this process there is no actual RF failure in the cable plant. The message is sent intentionally or, more specifically, artificially, to the cable modem, essentially to "spoof" the cable modem into re-provisioning. The CMTS sends the ranging abort message to the cable modem upon receiving instructions from the provisioning system. Neither the DOCSIS RFI reference or the Woundy reference teach or suggest that a ranging abort message be sent to the cable modem to artificially cause an RF failure in the modem. Instead, the RFI states on page 110 in Section 7.2.14 that: "On receiving a RNG-RSP, the CM MUST NOT transmit until the RF signal has been adjusted in accordance with the RNG-RSP and has been stabilized." In FIG. 7-13, the decision step stating: "Abort ranging from CMTS?" has a NO branch that is taken if the RF signal has been adjusted in accordance with the RNG-RSP and stabilized. The YES branch means that there is an error and the MAC address is re-initialized. This decision step and the steps branching from it do not teach or suggest sending a ranging abort message intentionally to cause an RF failure. Finally, re-provisioning of the cable modem using either one of these processes does not require that the cable modem perform a power-on sequence or self-test.

Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be

reached at the telephone number set out below.

Respectfully submitted,  
BEYER WEAVER LLP



Rupak Nag  
Reg. No. 37,493

Beyer Weaver LLP  
P.O. Box 70250  
Oakland, CA 94612-0250  
Telephone: (612) 252-3335  
Facsimile: (612) 825-6304